

# HOUSE BILL 313

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1lr1657

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By: **Delegate Stein**

Introduced and read first time: February 2, 2011

Assigned to: Environmental Matters

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Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 8, 2011

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## CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Natural Resources – Woodland Incentives Fund – Renaming**

3 FOR the purpose of renaming the Woodland Incentives Fund to be the Mel Noland  
4 Woodland Incentives Fund; making certain conforming changes; clarifying  
5 certain provisions of law relating to the contents of and reports about the Fund;  
6 and generally relating to the Woodland Incentives Fund.

7 BY repealing and reenacting, with amendments,  
8 Article – Natural Resources  
9 Section 5–204(a)(2)(ii), 5–301(g), and 5–307(a), (b), (f), and (j)  
10 Annotated Code of Maryland  
11 (2005 Replacement Volume and 2010 Supplement)

12 BY repealing and reenacting, with amendments,  
13 Article – Natural Resources  
14 Section 8–2A–04(c)(2)(iv)  
15 Annotated Code of Maryland  
16 (2007 Replacement Volume and 2010 Supplement)

17 BY repealing and reenacting, with amendments,  
18 Article – Tax – Property  
19 Section 13–306(a)(3)(i)  
20 Annotated Code of Maryland  
21 (2007 Replacement Volume and 2010 Supplement)

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**EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.**

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike-out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
2 MARYLAND, That the Laws of Maryland read as follows:

3 **Article – Natural Resources**

4 5–204.

5 (a) (2) The purpose of the Council is to advise the Department on all  
6 matters related to:

7 (ii) The expenditure of funds from the **MEL NOLAND** Woodland  
8 Incentives Fund under § 5–307 of this title;

9 5–301.

10 (g) “**MEL NOLAND** Woodland Incentives Fund” means the special fund  
11 established in the State Treasury under § 5–307 of this subtitle.

12 5–307.

13 (a) In this section, “Fund” means the **MEL NOLAND** Woodland Incentives  
14 Fund.

15 (b) There is a **MEL NOLAND** Woodland Incentives Fund in the Department.

16 (f) The Fund consists of:

17 (1) As provided in § 13–306 of the Tax – Property Article, up to  
18 \$200,000 annually of the proceeds of the tax imposed by § 13–302 of the  
19 Tax – Property Article that are attributable to the taxation of instruments of writing  
20 that transfer title to parcels of land that are entirely woodland;

21 (2) Revenues collected by the Department from the payment of  
22 charges imposed for Department assistance in implementation of an approved  
23 practice; [and]

24 (3) **MONEY DISTRIBUTED FROM THE CHESAPEAKE AND**  
25 **ATLANTIC COASTAL BAYS 2010 TRUST FUND UNDER § 8–2A–04 OF THIS**  
26 **ARTICLE; AND**

27 (4) Subject to approval by the Secretary and the Board of Public  
28 Works, a portion of the revenues derived from the forestry practices on designated  
29 lands owned and managed by the Department, that are conducted in accordance with  
30 applicable State law and regulation.

31 (j) On or before June 30 of each year, the Department shall report to the  
32 Senate Education, Health, and Environmental Affairs Committee and the House

1 Environmental Matters Committee, IN ACCORDANCE WITH § 2-1246 OF THE  
2 STATE GOVERNMENT ARTICLE, on the use of funds credited to the [Woodland  
3 Incentives] Fund, including an identification of and the reasons for those revenues  
4 derived from forestry practices on designated lands owned and managed by the  
5 Department that were not credited to the [Woodland Incentives] Fund.

6 8-2A-04.

7 (c) (2) The BayStat Subcabinet agencies shall administer the funds in  
8 accordance with the final work and expenditure plans, including the distribution of  
9 funds:

10 (iv) To the **MEL NOLAND** Woodland Incentives Fund  
11 established under § 5-307 of this article.

12 **Article – Tax – Property**

13 13-306.

14 (a) (3) The Comptroller shall deposit:

15 (i) up to \$200,000 annually of the revenue remitted under  
16 paragraphs (1)(i) and (2)(i) of this subsection or subsection (b) of this section into the  
17 **MEL NOLAND** Woodland Incentives Fund established in § 5-307 of the Natural  
18 Resources Article; and

19 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
20 October 1, 2011.

Approved:

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Governor.

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Speaker of the House of Delegates.

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President of the Senate.